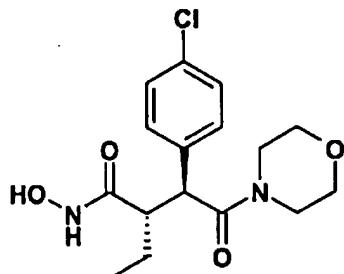


REMARKS

The Examiner has indicated that Applicants' Response to Restriction Requirement of November 17, 2008 was not fully responsive to the prior Requirement, as the species elected for search purposes did not fall within elected Group I, Claims 1-4 and 7, compounds.

Applicants hereby elect, for search purposes, the replacement compound from Step C of Example 1, page 34 of the instant Application, and the first-named compound of original Claim 4, 3(S)-(4-chloro-phenyl)-2(S)-ethyl-N-hydroxy-4-morpholin-4-yl-4-oxo-butyramide,



, which clearly falls within the compounds of Group I, Claims 1-4 and 7.

Reconsideration of the Application is, therefore, respectfully requested, as is rejoinder and consideration of process Claim 11 (Group III) and the method Claims of Group II with the Claims of Group I, upon allowance of the Claims of Group I.

SUMMARY

If any remaining matters need to be resolved, Applicants respectfully request a telephone interview (the undersigned attorney may be contacted at the telephone number set forth below) with the Examiner prior to any adverse action

being issued by the Office in response to this substitution, in order to facilitate allowance of the pending Claims.

Respectfully submitted,

Dated: March 12, 2009

By Richard Elder
Richard A. Elder
Reg. No. 30,255

HOXIE & ASSOCIATES LLC
75 Main Street, Suite 301
Millburn, New Jersey 07041
(973) 912-5232